

REMARKS/ARGUMENTS

This application has been carefully reviewed in view of the Office Action mailed May 7, 2004. In that Office Action, Claims 1, 2, 4, 5, 8, 9 and 11-15 were rejected under 35 U.S.C. § 103(a) over Sielle (British Patent No. 912,704) in view of Knox (U.S. Patent No. 2,623,316). Claims 3, 6, 7 and 10 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form.

In response, claim 10 has been canceled and claims 1, 14 and 15 have been amended. Reexamination and reconsideration of the application, as amended, is respectfully requested.

The Specification provides a clear basis for the various changes that have been made to claims 1, 14 and 15. Below is an identification of those portions of the Specification which provide a basis for such changes:

In Claims 1 and 14, the phrase "an outer panel including ..." has been replaced by "an outer panel having ...". This change merely improves the readability of the phrase in question. Basis for this change can in any event be found on page 6, line 13 and in Claim 15.

Also in respect of the outer panel, Claims 1, 14 and 15 now specify that it is mounted "in" an outer frame component rather than "within". Applicant feels that "in" is possibly slightly less restrictive than "within", and basis for this change can be found on page 6, line 14.

Claims 1, 14 and 15 have all been amended to specify that the inner frame component is seated in the aperture of the outer panel. Basis for this change can be found on page 1, lines 19-20 and on page 7, line 10.

Claims 1 and 14 now specify that the transparent sheet material covers the "inner frame component" rather than the "article". Basis for this change can be found on page 4, line 12 and in Claim 15. This change ensures that the claims read correctly since both Claims 1 and 14 are directed to a device which does not include the article.

Original Claim 14 differed from Claim 1 only as regards specifying that the transparent sheet material was in the form of a sheet of glass. Since Claim 6 has been indicated as being allowable if rewritten in independent form to include all the limitations of the base claim (Claim 1) as well as any intervening claim (Claim 5), Claim 14 has been amended to reflect this combination.

DRAWING OBJECTION

The drawings were objected to under 37 C.F.R. 1.183(a) because the features were cited in claim 10 were allegedly not shown. In response, Claim 10 has been canceled.

DISCUSSION OF THE CITED REFERENCES

Claims 1, 14 and 15, as amended, include the features that the inner frame component is **seated** in the aperture of the outer panel. When thus seated, its outer abutment surface overlaps a peripheral region of the viewer side of the outer panel, thereby to conceal the peripheral edge of the aperture, while its inner abutment surface overlaps a peripheral region of the inner panel in an abutting fashion.

This seating of the inner frame component within the aperture in the outer panel, emphasizes the advantages of the device according to the invention, including that any imperfections in the peripheral edge resulting from the cutting out of the aperture in the outer panel are concealed (see page 9, lines 14 to 18), and that the device can be assembled easily and quickly. It also permits assembly of frames providing a box-like effect with relative ease since the inner frame component is merely dropped into position (see page 9, lines 24 to 26 and page 11, lines 9 to 12). It also emphasizes that the inner frame component does not provide significant rigidity to the device, with the inner frame component primarily performing two functions, namely enhancing the aesthetic appeal of the device, and concealing the inner peripheral edge of the opening in the outer panel, as discussed hereinbefore. Structural rigidity is provided by the outer frame and the transparent sheet material which is attached to the outer frame and which spans the inner frame component. The inner frame component can thus be made of lightweight material, and its dimensions relative to those of the outer frame and outer panel can be small to render it aesthetically pleasing to the eye.

In contrast, in Sielle, the angle bar shaped metal strip 29 in Figure 2 thereof, which was equated with the inner frame component of Claims 1, 14 and 15, while fulfilling the function of concealing the inner peripheral edge of the member 24 (which was equated with the outer panel of Claims 1, 14 and 15) as well as the outer peripheral region of the stretcher 31 which was equated with the inner panel of Claims 1, 14 and 15, clearly is **not seated** within an aperture defined by the member 24. It is located **above** the member 24 in Figure 2. In addition, Sielle provides no teaching or suggestion that the metal strip 24 can be seated in an aperture defined by the member 24. That the metal strip 29 can only be used **above** the member 24, is borne out by the fact that the metal strip 29 is bonded to a body strip 28 of wood and is provided with holes for pins 30 for securing the inner baguette thus formed to the stretcher 31. This clearly also contributes to making the construction of the frame shown in Figure 2 of Sielle much more laborious and time consuming than is the case with the construction of the device or frame of Claims 1, 14 and 15 wherein the inner frame component is merely dropped into its seated position within the aperture defined by the outer panel.

Turning now to Knox, this citation teaches a picture frame having an outer panel defining an aperture, and which involves the use of an inner holding member 53 (see Figure 3) which can be equated to the inner frame component of Claims 1, 14 and 15. However, in the case of Knox, the inner holding member 53 must have significant structural rigidity and load bearing capabilities since it must carry not only the picture 57 and its backing 58, but

also the glass 56 which does not extend to the outer molding member or frame 52. In contrast, in the device of Claims 1, 14 and 15, the transparent sheet material is mounted to the outer frame component and spans the inner frame component so that the inner frame component is not required to support the glass. Thus, a person skilled in the art of would not at all look to combining the teachings of Sielle and Knox to arrive at the device as claimed in Claims 1, 14 and 15. Although Knox, as indicated, teaches an aperture in the outer panel 51, it does not teach or suggest an inner frame component which performs substantially only a decorative and concealing function and hence does not provide substantial structural or rigidity to the device or frame.

Since Claims 2 to 9 and 11 to 13 are dependent from a base claim which is clearly non-obvious over the prior art, it is respectfully submitted that these claims too are non-obvious and hence allowable.

Claim 16 has been rejected as being obvious in the light of Sielle when viewed with Knox as well as with U.S. Patent No. 3,218,747 (Cornfield). It is respectfully submitted that since Claim 16 depends from Claim 15 which has been shown to be non-obvious, and hence allowable, over the prior art, this claim too is allowable.

REQUEST FOR EXTENSION OF TIME

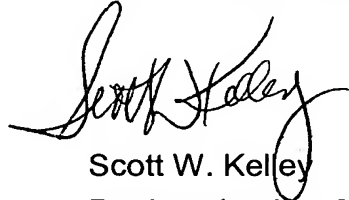
Submitted concurrently herewith is a Request for a Three-Month Extension of Time to file Response, accompanied by the required fee.

CONCLUSION

In view of the foregoing, it is submitted that each of Claims 1-9 and 11-16 distinguishes over the cited references and are in condition for allowance, notice of which is respectfully requested.

Respectfully submitted,

KELLY LOWRY & KELLEY, LLP

A handwritten signature in black ink, appearing to read "Scott W. Kelley", is written over the printed name.

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Enclosures

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